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May 25, 2012

## Via Facsimile

The Honorable Debra Freeman
United States Magistrate Judge
Southern District of New York
United States Courthouse, 500 Pea
New York, NY 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: \_\_\_\_\_
DATE FILED: \_5/25/12\_\_\_

Re:

WagerLogic Limited v. Paramount Digital Entertainment Civil Action No. 11-CV-4310

11-CV-4310 MEMO ENDORSED

Dear Judge Freeman:

We represent plaintiff and Third Party Defendants and we just received Ms. Daugherty's 5/25/2012 letter. We are at a loss as to its purpose since we already cadvised her and Mr. Gage that we will consent to Paramount's Amended Pleadings and Sthat we will accept service on behalf of added party WagerLogic Casino Software Limited.

We even submitted to defense counsel the attached Stipulation and Order which affirmed the above and set forth proposed dates for service of responses to the above amended pleadings. The proposed stipulation also provided that no party waives any rights it may have to seek relief from the Court for any claims it may have arising out of the instant litigation. For some inexplicable reason, defense counsel declined to sign the stipulation and instead sent a letter to the Court today.

We also note that we have sought defense counsel's consent to our amended complaint since April 11, 2012 and have been confronted with delay and the imposition of conditions unrelated to the propriety of our proposed amended complaint. Under these circumstances, we believe that we should proceed forthwith consistent with your Honor's Scheduling Order of April 24, 2012 which provided that the "Court will schedule a follow-up conference to set a revised discovery schedule, once the scope of the parties pleading is established."

the parties pleading is established."

The Court has reviewed bith parties 'Cetters of this date. Anderson kill + Olick, p.c. is directed Respectfully submitted, to clarify whether Cryptolypic Ltd. and Gaming

Portols Ltd. agree to accept serve of Paramore amended Pleading though the Andrew Kill

firm. If so, then this court will accept both parties' amended pleadings on consent, and will consider both parties' motions to

New York, NY ■ Newark, NJ ■ Philadelphia, PA ■ Stamford, CT ■ Ventura, CA ■ Washington, DC

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ANDERSON KILL & OLICK, P.C. The Honorable Debra Freeman May 25, 2012 Page 2

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cc: G. Robert Gage, Esq. Sara Daugherty, Esq. Attorneys for Paramount Digital Entertainment

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

WAGERLOGIC LIMITED,

Plaintiff,

-against-

PARAMOUNT DIGITAL ENTERTAINMENT, a division of PARAMOUNT PICTURES CORPORATION,

> Defendant and Counter-Plaintiff,

-against-

**CRYPTOLOGIC LIMITED and GAMING** PORTALS LIMITED,

Third-Party Defendants.

Civil Action No. 11 CV 4310(BSJ)(DCF)

## STIPULATION AND ORDER

WHEREAS, plaintiff WagerLogic limited ("WagerLogic") served and filed a motion for leave to amend and supplement its Complaint ("the Amended Complaint");

WHEREAS, defendant and Third-Party plaintiff Paramount Digital Entertainment, a division of Paramount Pictures Corporation ("Paramount") served and filed a motion for leave to amend and supplement its Counterclaims and Third-Party Complaint and to add as Third-Party Defendants, two additional parties, namely, WagerLogic Casino Software Limited ("WCSL") and Amaya Gaming Group, Inc. ("Paramount Amended Pleading")

WHEREAS, the above motions were made in timely fashion in accordance with this Court's Scheduling Order dated April 24, 2012

WHEREAS, the parties by their existing counsel of record consent to the filing and service of the amended and supplemental pleadings, as follows.

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- 1. Paramount consents to the filing with the Court of the Amended Complaint of WagerLogic Ltd.
- 2. WagerLogic Ltd. consents to the filing with the Court of Paramount Amended Pleading.
- 3. Paramount will serve and file its answer to the Amended Complaint by June 15, 2012.
- 4. WagerLogic Ltd. will serve and file its reply to Paramount's answer and counterclaims by June 29, 2012.
- 5. Gaming Portals Ltd. and CryptoLogic Ltd. consent to the filing with the Court of the Paramount Amended Pleading.
- Gaming Portals Ltd. and CryptoLogic Ltd. will serve and file their responses to the Paramount Amended Pleading by June 29, 2011.
- 7. Proposed Third Party Defendant WagerLogic Casino Software Ltd. appears in this action through its attorneys Anderson Kill & Olick PC, and agrees that it has been served with the Paramount Amended Pleading.
- 8. WagerLogic Casino Software Ltd. will serve and file its response to the Paramount Amended Pleading by June 29, 2011.
- 9. By entering into this Stipulation, no party waives any rights it may have to seek relief from the Court for any claims allegedly arising out of the instant litigation or the acts or omissions of any party in the conduct of this litigation.

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Dated: May, 2012

New York, New York

Anderson Kill & Olick, P.C.

By: \_\_\_\_

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Entertainment, a Division of Paramount Pictures Corporation

SO ORDERED:

Hon. Debra Freeman
U.S. Magistrate Judge
Southern District of New York